

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

DAVID W. BURTON,

Plaintiff,

v.

E.J. HALE, Detective, Kent Police
 Department, *et al.*,

Defendants.

CASE NO. C06-654-MJP-JPD

ORDER TO SHOW CAUSE

This is a civil rights action brought under 42 U.S.C. § 1983. On August 22, 2006, this Court issued orders directing that plaintiff's amended civil rights complaint be served on Detective E.J. Hale and on the Kent Police Department. The record reflects that the Kent Police Department was served by the United States Marshals Service on August 24, 2006, and that counsel entered a notice of appearance on August 31, 2006. The record further reflects that on September 20, 2006, the Court received a notice of withdrawal and substitution of counsel which was filed on behalf of defendants Hale and the Kent Police Department. However, to date, the Court has not received a waiver of service of summons from defendant Hale, nor has it received an answer to plaintiff's amended complaint from the Kent Police Department. Both of these documents are long overdue.

ORDER TO SHOW CAUSE

PAGE - 1


1 Accordingly, the Court does hereby ORDER as follows:

2 (1) Defendant E. J. Hale shall SHOW CAUSE within *fourteen (14) days* of the date on
3 which this Order is signed why the Court should not direct that he be served personally and why the
4 cost of personal service should not be assessed against him pursuant to Rule 4(d) of the Federal
5 Rules of Civil Procedure.

6 (2) Defendant Kent Police Department shall SHOW CAUSE within *twenty-one (21) days*
7 of the date on which this Order is signed why default should not be entered against it in this action
8 for failure to respond to the complaint.

9 (3) The Clerk is directed to send copies of this Order to plaintiff, to defendant Hale, to
10 counsel for defendants, and to the Honorable Marsha J. Pechman.

11 DATED this 5th day of January, 2007.

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13 JAMES P. DONOHUE
14 United States Magistrate Judge
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